

(1) in accordance with the auditing procedures of the Government Accountability Office, including generally accepted government auditing standards.

“(C) RECOMMENDATIONS BY ADMINISTRATOR.—The Administrator may at any time make recommendations for or require specific changes to an entity loan fund in order to improve the effectiveness of the fund.

“(i) REGULATIONS OR GUIDANCE.—The Administrator shall issue such regulations or guidance as are necessary to—

“(1) ensure that each participating entity uses funds as efficiently as possible;

“(2) reduce waste, fraud, and abuse to the maximum extent possible; and

“(3) require any party that receives funds directly or indirectly under this section, including a participating entity and a recipient of amounts from an entity loan fund, to use procedures with respect to the management of the funds that conform to generally accepted accounting standards.

“(j) WAIVER AUTHORITY.—Until such time as the Administrator issues final regulations to implement this section, the Administrator may—

“(1) waive notice and comment rule-making, if the Administrator determines the waiver is necessary to expeditiously implement this section; and

“(2) provide capitalization grants under this section as a pilot program.

“(k) LIABILITY PROTECTIONS.—The Agency shall not be liable for any claim based on the exercise or performance of, or the failure to exercise or perform, a discretionary function or duty by the Agency, or an employee of the Agency in carrying out this section.

“(l) GAO REPORT.—Not later than 1 year after the date on which the first entity loan fund is established under subsection (c), the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that examines—

“(1) the appropriateness of regulations and guidance issued by the Administrator for the program, including any oversight of the program;

“(2) a description of the number of the entity loan funds established, the projects funded from such entity loan funds, and the extent to which projects funded by the loan funds adhere to any applicable hazard mitigation plans;

“(3) the effectiveness of the entity loan funds to lower disaster related costs; and

“(4) recommendations for improving the administration of entity loan funds.

“(m) DEFINITIONS.—In this section, the following definitions apply:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.

“(2) AGENCY.—The term ‘Agency’ means the Federal Emergency Management Agency.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a State; or

“(B) an Indian tribal government that has received a major disaster declaration during the 5-year period ending on the date of enactment of the STORM Act.

“(4) HAZARD MITIGATION PLAN.—The term ‘hazard mitigation plan’ means a mitigation plan submitted under section 322.

“(5) INSULAR AREA.—The term ‘insular area’ means Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

“(6) LOW-INCOME GEOGRAPHIC AREA.—The term ‘low-income geographic area’ means an area described in paragraph (1) or (2) of sec-

tion 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a)).

“(7) PARTICIPATING ENTITY.—The term ‘participating entity’ means an eligible entity that has entered into an agreement under this section.

“(8) REPETITIVE LOSS STRUCTURE.—The term ‘repetitive loss structure’ has the meaning given the term in section 1370 of the National Flood Insurance Act of 1968 (42 U.S.C. 4121).

“(9) SEVERE REPETITIVE LOSS STRUCTURE.—The term ‘severe repetitive loss structure’ has the meaning given the term in section 1366(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(h)).

“(10) STATE.—The term ‘State’ means any State of the United States, the District of Columbia, and Puerto Rico.

“(11) WILDLAND-URBAN INTERFACE.—The term ‘wildland-urban interface’ has the meaning given the term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

“(n) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$100,000,000 for each of fiscal years 2022 through 2023 to carry out this section.”.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. INHOFE. Mr. President, I have 7 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, December 9, 2020, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 30, 2020, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, December 9, 2020, at 2:30 p.m., to conduct a hearing.

##### COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, December 9, 2020, at 10 a.m., to conduct a hearing.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, April 30, 2019, at 2 p.m., to conduct a closed briefing.

##### SUBCOMMITTEE ON SOCIAL SECURITY, PENSIONS, AND FAMILY POLICY

The Subcommittee on Social Security, Pensions, and Family Policy of the Committee on Finance is author-

ized to meet during the session of the Senate on Wednesday, December 9, 2020, at 10 a.m., to conduct a hearing.

##### SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

The Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, December 9, 2020, at 9:45 a.m., to conduct a hearing.

#### DEPENDABLE EMPLOYMENT AND LIVING IMPROVEMENTS FOR VETERANS ECONOMIC RECOVERY ACT

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of H.R. 7105 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 7105) to provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill, which was reported from the Committee on Veterans’ Affairs.

Mr. INHOFE. I ask unanimous consent that the Moran substitute amendment at the desk be agreed to, the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2696) in the nature of a substitute was agreed to, as follows:

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 7105), as amended, was passed.

#### BANKRUPTCY ADMINISTRATION IMPROVEMENT ACT OF 2020

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4996, introduced earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 4996) to ensure funding of the United States trustees, extend temporary bankruptcy judgeships, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. INHOFE. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 4996) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4996

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Bankruptcy Administration Improvement Act of 2020”.

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Because of the importance of the goal that the bankruptcy system is self-funded, at no cost to the taxpayer, Congress has closely monitored the funding needs of the bankruptcy system, including by requiring periodic reporting by the Attorney General regarding the United States Trustee System Fund.

(2) Congress has amended the various bankruptcy fees as necessary to ensure that the bankruptcy system remains self-supporting, while also fairly allocating the costs of the system among those who use the system.

(3) Because the bankruptcy system is interconnected, the result has been a system of fees, including filing fees, quarterly fees in chapter 11 cases, and other fees, that together fund the courts, judges, United States trustees, and chapter 7 case trustees necessary for the bankruptcy system to function.

(4) This Act and the amendments made by this Act—

(A) ensure adequate funding of the United States trustees, supports the preservation of existing bankruptcy judgeships that are urgently needed to handle existing and anticipated increases in business and consumer caseloads, and provides long-overdue additional compensation for chapter 7 case trustees whose caseloads include chapter 11 reorganization cases that were converted to chapter 7 liquidation cases; and

(B) confirm the longstanding intention of Congress that quarterly fee requirements remain consistent across all Federal judicial districts.

(b) PURPOSE.—The purpose of this Act and the amendments made by this Act is to further the long-standing goal of Congress of ensuring that the bankruptcy system is self-funded, at no cost to the taxpayer.

#### SEC. 3. UNITED STATES TRUSTEE SYSTEM FUND; BANKRUPTCY FEES.

(a) DEPOSITS OF CERTAIN FEES FOR FISCAL YEARS 2021 THROUGH 2026.—Notwithstanding section 589a(b) of title 28, United States Code, for each of fiscal years 2021 through 2026—

(1) the fees collected under section 1930(a)(6) of such title, less the amount specified in subparagraph (2), shall be deposited as specified in subsection (b); and

(2) \$5,400,000 of the fees collected under section 1930(a)(6) of such title shall be deposited in the general fund of the Treasury.

(b) UNITED STATES TRUSTEE SYSTEM FUND.—Section 589a of title 28, United States Code, is amended by adding at the end the following:

“(f)(1) During each of fiscal years 2021 through 2026 and notwithstanding subsections (b) and (c), the fees collected under section 1930(a)(6), less the amount specified

in paragraph (2), shall be deposited as follows, in the following order:

“(A) First, the amounts specified in the Department of Justice appropriations for that fiscal year, shall be deposited as discretionary offsetting collections to the ‘United States Trustee System Fund’, pursuant to subsection (a), to remain available until expended.

“(B) Second, the amounts determined annually by the Director of the Administrative Office of the United States Courts that are necessary to reimburse the judiciary for the costs of administering payments under section 330(e) of title 11, shall be deposited as mandatory offsetting collections to the ‘United States Trustee System Fund’, and transferred and deposited into the special fund established under section 1931(a), and notwithstanding subsection (a), shall be available for expenditure without further appropriation.

“(C) Third, the amounts determined annually by the Director of the Administrative Office of the United States Courts that are necessary to pay trustee compensation authorized by section 330(e)(2) of title 11, shall be deposited as mandatory offsetting collections to the ‘United States Trustee System Fund’, and transferred and deposited into the Chapter 7 Trustee Fund established under section 330(e) of title 11 for payment to trustees serving in cases under chapter 7 of title 11 (in addition to the amounts paid under section 330(b) of title 11), in accordance with that section, and notwithstanding subsection (a), shall be available for expenditure without further appropriation.

“(D) Fourth, any remaining amounts shall be deposited as discretionary offsetting collections to the ‘United States Trustee System Fund’, to remain available until expended.

“(2) Notwithstanding subsection (b), for each of fiscal years 2021 through 2026, \$5,400,000 of the fees collected under section 1930(a)(6) shall be deposited in the general fund of the Treasury.”.

(c) COMPENSATION OF OFFICERS.—Section 330 of title 11, United States Code, is amended by adding at the end the following:

“(e)(1) There is established a fund in the Treasury of the United States, to be known as the ‘Chapter 7 Trustee Fund’, which shall be administered by the Director of the Administrative Office of the United States Courts.

“(2) Deposits into the Chapter 7 Trustee Fund under section 589a(f)(1)(C) of title 28 shall be available until expended for the purposes described in paragraph (3).

“(3) For fiscal years 2021 through 2026, the Chapter 7 Trustee Fund shall be available to pay the trustee serving in a case that is filed under chapter 7 or a case that is converted to a chapter 7 case in the most recent fiscal year (referred to in this subsection as a ‘chapter 7 case’) the amount described in paragraph (4) for the chapter 7 case in which the trustee has rendered services in that fiscal year.

“(4) The amount described in this paragraph shall be the lesser of—

“(A) \$60; or

“(B) a pro rata share, for each chapter 7 case, of the fees collected under section 1930(a)(6) of title 28 and deposited to the United States Trustee System Fund under section 589a(f)(1) of title 28, less the amounts specified in section 589a(f)(1)(A) and (B) of title 28.

“(5) The payment received by a trustee under paragraph (3) shall be paid in addition to the amount paid under subsection (b).

“(6) Not later than September 30, 2021, the Director of the Administrative Office of the United States Courts shall promulgate regulations for the administration of this subsection.”.

(d) BANKRUPTCY FEES.—Section 1930(a) of title 28, United States Code, is amended—

(1) by striking paragraph (6)(B) and inserting the following:

“(B)(i) During the 5-year period beginning on January 1, 2021, in addition to the filing fee paid to the clerk, a quarterly fee shall be paid to the United States trustee, for deposit in the Treasury, in each open and reopened case under chapter 11 of title 11, other than under subchapter V, for each quarter (including any fraction thereof) until the case is closed, converted, or dismissed, whichever occurs first.

“(ii) The fee shall be the greater of—

“(I) 0.4 percent of disbursements or \$250 for each quarter in which disbursements total less than \$1,000,000; and

“(II) 0.8 percent of disbursements but not more than \$250,000 for each quarter in which disbursements total at least \$1,000,000.

“(iii) The fee shall be payable on the last day of the calendar month following the calendar quarter for which the fee is owed.”; and

(2) in paragraph (7), in the first sentence, by striking “may” and inserting “shall”.

(e) APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of enactment of this Act.

(2) EXCEPTIONS.—

(A) COMPENSATION OF OFFICERS.—The amendments made by subsection (c) shall apply to any case filed on or after the date of enactment of this Act—

(i) under chapter 7 of title 11, United States Code; or

(ii)(I) under chapter 11, 12, or 13 of that title; and

(II) converted to a chapter 7 case under that title.

(B) BANKRUPTCY FEES.—The amendments made by subsection (d) shall apply to—

(i) any case pending under chapter 11 of title 11, United States Code, on or after the date of enactment of this Act; and

(ii) quarterly fees payable under section 1930(a)(6) of title 28, United States Code, as amended by subsection (d), for disbursements made in any calendar quarter that begins on or after the date of enactment of this Act.

#### SEC. 4. EXTENSION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES IN CERTAIN JUDICIAL DISTRICTS.

(a) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 2017.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized by section 1003(a) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note) for the district of Delaware and the eastern district of Michigan are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs.

(2) VACANCIES.—

(A) DISTRICT OF DELAWARE.—The 1st and 2d vacancies in the office of a bankruptcy judge for the district of Delaware—

(i) occurring 5 years or more after the date established by section 1003(b)(1) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) EASTERN DISTRICT OF MICHIGAN.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Michigan—

(i) occurring 5 years or more after the date established by section 1003(b)(3) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 1003 of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(b) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005 AND EXTENDED BY THE TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012 AND THE BANKRUPTCY JUDGESHIP ACT OF 2017.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized for the following districts by section 1223(b) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note), extended by section 2(a) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note), and further extended by section 1002(a) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note) are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs:

- (A) The district of Delaware.
- (B) The southern district of Florida.
- (C) The district of Maryland.
- (D) The eastern district of Michigan.
- (E) The district of Nevada.
- (F) The eastern district of North Carolina.
- (G) The district of Puerto Rico.
- (H) The eastern district of Virginia.

(2) VACANCIES.—

(A) SINGLE VACANCIES.—Except as provided in subparagraphs (B), (C), (D), (E), and (F), the 1st vacancy in the office of a bankruptcy judge for each district specified in paragraph (1)—

(i) occurring 5 years or more after the date established by section 1002(a)(2) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) DISTRICT OF DELAWARE.—The 3d, 4th, 5th, and 6th vacancies in the office of a bankruptcy judge for the district of Delaware—

(i) occurring 5 years or more after the date established by section 1002(a)(2) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(C) SOUTHERN DISTRICT OF FLORIDA.—The 1st and 2d vacancies in the office of a bankruptcy judge for the southern district of Florida—

(i) occurring 5 years or more after the date established by section 1002(a)(2) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(D) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland—

(i) occurring 5 years or more after the date established by section 1002(a)(2) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(E) EASTERN DISTRICT OF MICHIGAN.—The 2d vacancy in the office of a bankruptcy judge for the eastern district of Michigan—

(i) occurring 5 years or more after the date established by section 1002(a)(2) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(F) DISTRICT OF PUERTO RICO.—The 1st vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

(i) occurring 5 years or more after the date established by section 1002(a)(2) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 1223 of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note), section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note), and section 1002 of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(c) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005 AND EXTENDED BY THE TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized for the following districts by section 1223(b) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note) and extended by section 2(a) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs:

- (A) The southern district of Georgia.
- (B) The district of Maryland.
- (C) The district of New Jersey.
- (D) The northern district of New York.
- (E) The district of South Carolina.

(2) VACANCIES.—

(A) SINGLE VACANCIES.—Except as provided in subparagraph (B), the 1st vacancy in the office of a bankruptcy judge for each district specified in paragraph (1)—

(i) occurring 5 years or more after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) DISTRICT OF MARYLAND.—The 2d and 3d vacancies in the office of a bankruptcy judge for the district of Maryland—

(i) occurring 5 years or more after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 1223 of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note) and section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(d) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 1992 AND EXTENDED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005, THE TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012, AND THE BANKRUPTCY JUDGESHIP ACT OF 2017.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized by section 3(a) of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), extended by section 1223(c) of Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note), extended by section 2(b) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note), and further extended by section 1002(b) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note) for the district of Delaware and the district of Puerto Rico are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs.

(2) VACANCIES.—

(A) DISTRICT OF DELAWARE.—The 7th vacancy in the office of a bankruptcy judge for the district of Delaware—

(i) occurring 5 years or more after the date established by section 1002(b)(2) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) DISTRICT OF PUERTO RICO.—The 2d vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

(i) occurring 5 years or more after the date established by section 1002(b)(2) of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note), and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), section 1223 of Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note), section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note), and section 1002 of the Bankruptcy Judgeship Act of 2017 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(e) TEMPORARY OFFICE OF BANKRUPTCY JUDGE AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 1992 AND EXTENDED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005 AND THE TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012.—

(1) EXTENSIONS.—The temporary office of bankruptcy judge authorized by section 3(a) of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), extended by section 1223(c) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note), and further extended by section 2(b) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) for the eastern district of Tennessee is extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the district occurs.

(2) VACANCY.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Tennessee—

(A) occurring 5 years or more after the date of the enactment of this Act, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), section 1223 of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note), and section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

note) remain applicable to the temporary office of bankruptcy judge referred to in paragraph (1).

(f) TEMPORARY OFFICE OF BANKRUPTCY JUDGE AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 1992 AND EXTENDED BY THE TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012.—

(1) EXTENSIONS.—The temporary office of bankruptcy judge authorized by section 3(a) of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) and extended by section 2(c) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) for the middle district of North Carolina is extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the district occurs.

(2) VACANCY.—The 1st vacancy in the office of a bankruptcy judge for the middle district of North Carolina—

(A) occurring 5 years or more after the date of the enactment of this Act, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) and section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judge referred to in paragraph (1).

#### SEC. 5. REGULATIONS.

Section 375(h) of title 28, United States Code, is amended by striking “may” and inserting “shall”.

#### WHISTLEBLOWER ACT OF 2019

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. 2315 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2315) to amend section 4712 of title 41, United States Code, to clarify the inclusion of subcontractors and subgrantees for whistleblower protection.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. INHOFE. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2315) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 2315

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Whistleblower Act of 2019”.

#### SEC. 2. PROTECTION AGAINST REPRISAL FOR FEDERAL SUBGRANTEE EMPLOYEES.

Section 4712 of title 41, United States Code, is amended—

(1) in subsection (a)(2)(G), by striking “or grantee” and inserting “grantee, or subgrantee”;

(2) in subsection (b), by striking “contractor or grantee” and inserting “contractor, subcontractor, grantee, or subgrantee”;

(3) in subsection (c)(1), by striking “contractor or grantee” each place it appears and inserting “contractor, subcontractor, grantee, or subgrantee”; and

(4) in subsection (d), by striking “and grantees” and inserting “grantees, and subgrantees”.

#### SAFEGUARDING TOMORROW THROUGH ONGOING RISK MITIGATION ACT OF 2020

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 511, S. 3418.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3418) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow the Administrator of the Federal Emergency Management Agency to provide capitalization grants to States to establish revolving funds to provide hazard mitigation assistance to reduce risks from disasters and natural hazards, and other related environmental harm.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs with an amendment as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 3418

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Safeguarding Tomorrow through Ongoing Risk Mitigation Act of 2020” or the “STORM Act”.

#### SEC. 2. GRANTS TO ENTITIES FOR ESTABLISHMENT OF HAZARD MITIGATION REVOLVING LOAN FUNDS.

Title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) is amended by adding at the end the following:

#### “SEC. 205. GRANTS TO ENTITIES FOR ESTABLISHMENT OF HAZARD MITIGATION REVOLVING LOAN FUNDS.

“(a) GENERAL AUTHORITY.—

“(1) IN GENERAL.—The Administrator may enter into agreements with eligible entities to make capitalization grants to such entities for the establishment of hazard mitigation revolving loan funds (referred to in this section as ‘entity loan funds’) for providing funding assistance to local governments to carry out eligible projects under this section to reduce disaster risk in order to decrease—

“(A) the loss of life and property;

“(B) the cost of insurance; and

“(C) Federal disaster payments.

“(2) AGREEMENTS.—Any agreement entered into under this section shall require the participating entity to—

“(A) comply with the requirements of this section; and

“(B) use accounting, audit, and fiscal procedures conforming to generally accepted accounting standards.

“(b) APPLICATION.—

“(1) IN GENERAL.—To be eligible to receive a capitalization grant under this section, an eligible entity shall submit to the Administrator an application that includes the following:

“(A) Project proposals comprised of local government hazard mitigation projects, on the condition that the entity provides public notice not less than 6 weeks prior to the submission of an application.

“(B) An assessment of recurring major disaster vulnerabilities impacting the entity that demonstrates a risk to life and property.

“(C) A description of how the hazard mitigation plan of the entity has or has not taken the vulnerabilities described in subparagraph (B) into account.

“(D) A description about how the projects described in subparagraph (A) could conform with the hazard mitigation plan of the entity and of the unit of local government.

“(E) A proposal of the systematic and regional approach to achieve resilience in a vulnerable area, including impacts to river basins, river corridors, watersheds, estuaries, bays, coastal regions, micro-basins, micro-watersheds, ecosystems, and areas at risk of earthquakes, tsunamis, droughts, and wildfires.

“(2) TECHNICAL ASSISTANCE.—The Administrator shall provide technical assistance to eligible entities for applications under this section.

“(c) ENTITY LOAN FUND.—

“(1) ESTABLISHMENT OF FUND.—An entity that receives a capitalization grant under this section shall establish an entity loan fund that complies with the requirements of this subsection.

“(2) FUND MANAGEMENT.—Except as provided in paragraph (3), entity loan funds shall—

“(A) be administered by the agency responsible for emergency management; and

“(B) include only—

“(i) funds provided by a capitalization grant under this section;

“(ii) repayments of loans under this section to the entity loan fund; and

“(iii) interest earned on amounts in the entity loan fund.

“(3) ADMINISTRATION.—A participating entity may combine the financial administration of the entity loan fund of such entity with the financial administration of any other revolving fund established by such entity if the Administrator determines that—

“(A) the capitalization grant, entity share, repayments of loans, and interest earned on amounts in the entity loan fund are accounted for separately from other amounts in the revolving fund; and

“(B) the authority to establish assistance priorities and carry out oversight activities remains in the control of the entity agency responsible for emergency management.

“(4) ENTITY SHARE OF FUNDS.—

“(A) IN GENERAL.—On or before the date on which a participating entity receives a capitalization grant under this section, the entity shall deposit into the entity loan fund of such entity, an amount equal to not less than 10 percent of the amount of the capitalization grant.

“(B) REDUCED GRANT.—If, with respect to a capitalization grant under this section, a participating entity deposits in the entity loan fund of the entity an amount that is less than 10 percent of the total amount of the capitalization grant that the participating entity would otherwise receive, the Administrator shall reduce the amount of